City Planning Commission Meeting Tuesday, January 27, 2015 CPC Deadline: 03/13/15 CC Deadline: 04/14/15 Council District: C

Council Member: Ramsey

PRELIMINARY STAFF REPORT

To: City Planning Commission Prepared by: Kelly G. Butler

Zoning Docket: 015/15 Date: January 9, 2015

I. GENERAL INFORMATION:

Applicant: ROBERT G. DAIGLE, JR

Request: This is a request for a zoning change from an RD-3 Two-Family

Residential District to a B-1A Neighborhood Business District.

Location: The property is located on Square 85, Lot 19 or Ft. Pt. 19 or 19-A, in the

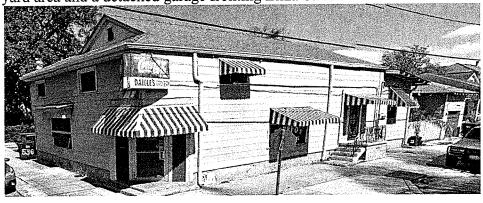
Fifth Municipal District, bounded by Bouny, Eliza, Alix, and Seguin

Streets. The municipal address is 538 Bouny Street. (PD 12)

Description: The petitioned site is located at the corner of Bouny and Eliza Streets,

approximately two (2) blocks inland from the Mississippi River levee and approximately six (6) blocks upriver from where the river bends in the Algiers Point neighborhood. The site consists of a parcel measuring thirty-two feet (32') in width, eighty-five feet (85') in depth, with an area of two thousand seven hundred twenty square feet (2,720 sq. ft.). The property is developed with a single-story structure, which frames the corner of the site and has a total floor area of approximately one thousand three hundred sixty (1,360 sq. ft.) square feet. The site also contains a rear

yard area and a detached garage fronting Eliza Street.



Through conversations with the applicant and viewing the Sanborn Maps, staff has concluded the site has historically been used as a mixed use commercial and residential development since the late 1800's. The Daigle Grocery Store most recently operated in the six hundred eighty (680 sq. ft.) commercial portion of the structure, which has been vacant since 2009. The property has since lost its non-conforming status for its commercial space due to vacancy. The rear six hundred eighty (680 sq. ft.) square foot portion of the structure has continually functioned as a single residential unit. The commercial space has a corner entry and two display windows facing Bouny and Eliza Streets. The overhang above the corner entry door wraps around both sides of the structure and the windows have awnings installed above them. The applicant is requesting a zoning change in order to re-use the six hundred eighty (680 sq. ft.) square foot commercial space as a jewelry maker's workshop. The proposal includes maintaining the residential unit in the rear portion.

Why is City Planning Commission action required?

The City Planning Commission is required to make a recommendation on all requests for zoning map amendments prior to City Council action, in accordance with **Article 16**, **Section 16.2.3.2** *Planning Commission Recommendation* of the Comprehensive Zoning Ordinance.

II. ANALYSIS

A. What is the zoning of the surrounding areas? What is the existing land use and how are the surrounding areas used?

Zoning

The site is located within a large RD-3 Two-Family Residential District in the Algiers Point neighborhood. The RD-3 Two-Family District in this section of Algiers Point is surrounded by several zoning districts, including an MS Medical Service District located one half block on the upriver side of the property, an LI Light Industrial District, which is bordered by a HI Heavy Industrial District along the Mississippi River Levee area, a B-2 Neighborhood Business District one (1) block to the south of the petitioned site, and a C-2 General Commercial District on the upriver side wrapping around the point, which is two blocks from the subject site.

Land use

The neighborhood, located on Algiers Point, is generally composed of single and two-family residences. Commercial businesses are located to the north and west of the property adjacent to the Mississippi River and include restaurants, cocktail bars, a pottery store and a corner grocery store. Maritime activity is located along the Mississippi River and includes the Algiers Ferry and terminal building. Abutting the property on the downriver side is a raised two-family residential house and to the rear of the property is a single-family house. Single- and two-family structures are located on the other three corners across from the subject site.

B. What is the zoning and land use history of the site?

Zoning and Land Use History:

Zoning: 1929 – "I" Industrial

1953 – "D" Multiple-Family Dwelling 1970 – RD-3 Two-Family Residential Current – RD-3 Two-Family Residential

Land Use: 1929 – Commercial

1949 - Two-Family Residential

1999 –Residential Single/Two Family¹

C. Have there been any recent zoning changes or conditional uses in the area? If so, do these changes indicate any particular pattern or trend?

The following are land use requests in the surrounding five (5) block area within the last five (5) years.

Zoning Docket 102-14 was a request for a Conditional Use to permit a Bed and Breakfast Family Home in an RD-3 Two-Family Residential District. The City Planning Commission recommended approval of the request which was subsequently approved by the City Council. *The location is 1 1/2 blocks from the petitioned site*.

D. Are any major streets involved? What impact will the proposed zoning change have on the transportation system, if any?

Traffic

Bouny Street is a one lane one-way street that moves in a south easterly direction. It is a minor street according to the *Plan for the 21st Century Major Streets Plan*. Both

¹ The 1999 Land Use Plan presented a generalized indication of land uses, and was not lot-specific.

intersecting streets, Eliza and Alix Streets, are one lane two-way residential thoroughfares with parking on both sides.

Minimal adverse impacts are anticipated from the proposed jewelry business and residential unit. A commercial business without retail sales would not generate significantly more traffic to the site than nearby single- and two-family residences. One off-street parking space is provided in the detached garage on the site.

Off-street Parking

In accordance with **Article 15, Section 15.2 (Table 15.A)** –Off-Street Parking Regulations, one off-street parking space is required for each residential unit. Therefore one (1) parking space is required for the residential unit. Located on the site on the Eliza Street side of the property is a detached one (1) car garage that will provide the required off-street parking space. Off-street parking is required for commercial uses with floor area over 5,000 square feet. The proposed jewelry business would occupy the commercial space in the front portion of the building. The commercial space has a floor area of approximately six hundred eighty (680 sq. ft.) square feet, and will not require off-street parking.

E. What is the purpose of the proposed rezoning, and what effect would it have on the adjacent land uses?

The requested B-1A Neighborhood Business District is intended for older developed areas such as the neighborhood surrounding the subject site. The district regulations are designed to encourage compatibility with adjacent or nearby land uses and the general character of the area. The permitted uses include a variety of low intensity retail and service businesses which are generally pedestrian-oriented rather than automobile-oriented, such as hair salons, bookstores, hardware stores, bicycle sales, service and rentals, small grocery stores, florist shops, health clubs, pet shops, antique stores, bakeries and restaurants. The conditional uses include more intense commercial uses such as fast food and cafeteria restaurants, uses with alcoholic beverage sales, as well as uses with automobile-oriented characteristics such as drive-in facilities and permitted uses which exceed the floor area restrictions.

The petitioned site originally contained a grocery store. The applicant proposes to open a jewelry workshop at the location in which work would be done on site, but retail sales would not occur. Minimal traffic would use on-street parking along the adjacent street frontage. The applicant is requesting a zoning change to re-establish the commercial space in an existing mixed-use building that has lost its non-conforming commercial status due to vacancy.

F. Can the request be considered a spot zone? Does it fall within the Historic Non-Conforming Use Policy?

The request would be considered a spot zone; however, the Historic Non-Conforming Use Policy does identify criteria by which a spot zone may be granted. It includes four general criteria and four specific criteria by which the request should be judged. The request meets all of the general criteria. The building and the location of the petitioned site are consistent with the character of the surrounding neighborhood. There are corner commercial buildings throughout the neighborhood, which are in keeping with the historic architecture and development pattern of the area. The request is for a zoning change to a zoning district that includes a variety of uses that would serve the neighborhood. The property was designated as a store in the 1908-1909 Sanborn Maps indicating that the site has an established history of serving the neighborhood prior to 1929. The requested zoning change is consistent with *The Plan for the 21st Century: New Orleans 2030 Plan*.

Of the specific criteria, the building meets the criteria for historically commercial properties. The structure is built to the sidewalk and frames the corner. It has an angled front entrance and display windows on either side with a projection over the front entrance. The building reflects its original construction as a mixed-use building with a business in the front portion and residential in the rear.

The requested B-1A Neighborhood Business District is the most restrictive classification to accommodate uses that serve a neighborhood need. The proposed zoning of the property is HU-RD2 Two-Family Residential District. Commercial businesses will be authorized as a conditional use in the proposed HU-RD2 District and must meet the requirements for a Neighborhood Commercial Establishment. If the requested zoning change is approved, the proposed jewelry store business would be permitted as a non-conforming use provided that the applicant obtains an occupational license prior to the effective date of the new zoning ordinance.

III. Are the proposed actions supported by or in conflict with the policies and strategies of the Plan for the 21st Century: New Orleans 2030?

"Chapter 14: Land Use Plan" of the *Plan for the 21st Century*, commonly known as the Master Plan, designates portions of the petitioned site as **Residential Low Density Pre-War**. The goals, ranges of uses, and development character for this designation is copied below:

RESIDENTIAL LOW DENSITY PRE-WAR

Goal: Preserve the scale and character of pre-war (WWII) residential neighborhoods of lower density where the predominant use is single and two-

family residential and allow for compatible infill development. Discourage the development of additional multifamily housing that is out of scale with existing character.

Range of Uses: New development generally limited to single or two-family dwellings, and preservation of existing multi-family buildings. Business and traditional corner stores may be allowed where current or former commercial use is verified. Supporting public recreational and community facilities (e.g., schools and places of worship) also allowed. Conversion of multifamily may be allowed for certain existing historic institutional, commercial or other non-residential buildings.

Development Character: New development will fit with the character and scale of surrounding residential neighborhoods where structures are typically located on smaller lots and have minimal front and side setbacks. Maximum density of 24 units/acre.

The building has the characteristics of a historic commercial structure. Commercial use of traditional corner stores is noted in the range of uses for properties that are designated Residential Low Density Pre-war. The building has a history of commercial use, beginning with a grocery store in the late 1800's and ending with the Daigle Grocery Store, which operated for thirty-eight years and closed in 2009². The requested zoning change is consistent with the Master Plan designation of the site as Residential Pre-War Low Density.

IV. SUMMARY

Zoning Docket 015/15 is a request for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District. The property is located at the corner of Bouny and Eliza Streets in the Algiers Point Historic District. The site is developed with a single-story, mixed-use structure, with one apartment and a commercial space located at the front of the structure. The property lost its status of a non-conforming commercial use due to vacancy. The applicant proposes to lease six hundred eighty (680 sq. ft.) square feet of commercial space for use as a jewelry maker's workshop. The commercial space has a corner entry and two large display windows facing Bouny and Eliza Sreets. The overhang above the windows and entry doors wraps around the building providing protection in inclement weather. The rear apartment will remain and the garage on the site will provide the residential unit's required off-street parking space. The proposal is not expected to create any additional adverse impacts, and it fulfills all of the stated general and special criteria, which qualify it for approval under the Historic Non-Conforming Use Policy. The proposed zoning change is supported by

² Information provided by applicant to staff

the *Plan for the 21st Century: New Orleans 2030 Land Use Plan*, which designates the site as "Pre-War Residential Low Density" land use category and allows for compatible traditional corner store/businesses "where current or former commercial use is verified."

V. PRELIMINARY STAFF RECOMMENDATION³

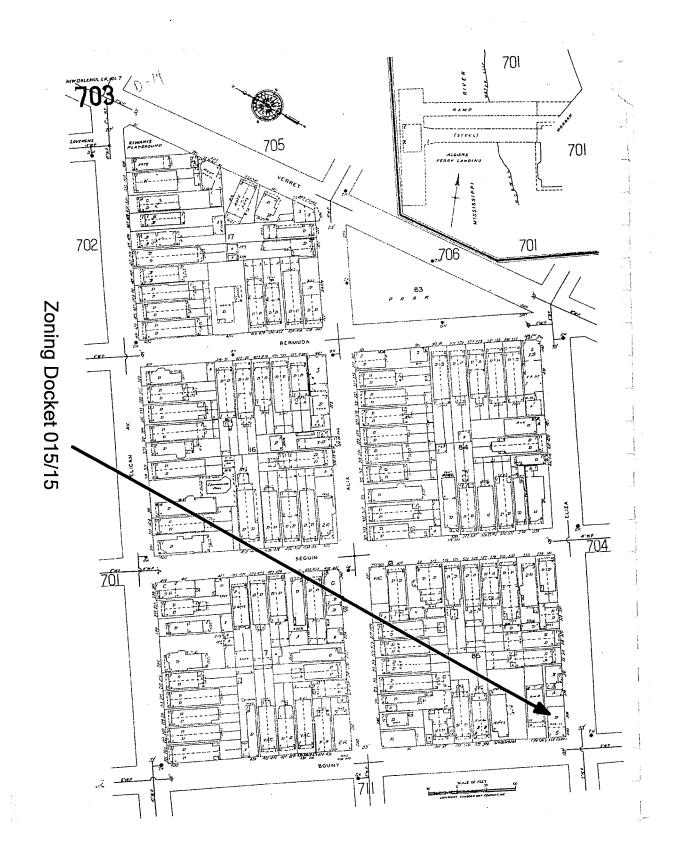
The staff recommends **Approval** of Zoning Docket 015/15, a request for a zoning change from an RD-3 Two-Family Residential District to a B-1A Neighborhood Business District.

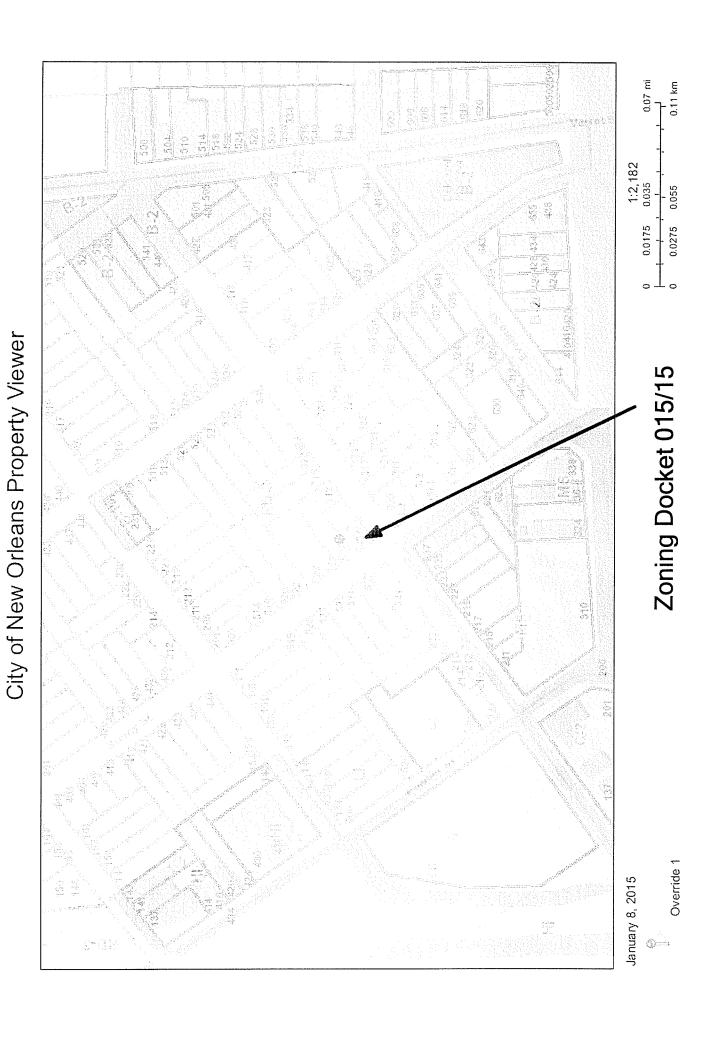
VI. REASONS FOR RECOMMENDATION

- 1. The request is consistent with the historic use of the property.
- 2. The property meets all of the criteria of the Historic Non-conforming Use Policy.
- 3. The request is consistent with the Plan for the 21st Century: New Orleans 2030 Land Use Plan.

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³ Subject to modification by the City Planning Commission





Date of Report: December 11,2014

Project Name: Work Shop

Overview: This report provides results of the implementation of the Project Participation Program for property located at 538 Bouny Street on the corner of Bouny and Eliza streets. The applicant intends to file an application to rezone the property from residential to commercial. The report provides a summery of contacts with citizens, neighbors, public agencies, and interested parties. Opportunities have been provided to learn about and comment on the proposed plans and actions. Comments, sign-in lists, summery sheets, and other materials are attached.

Contact:

Robert Daigle 2035 Ellen Park Place New Orleans, LA 70131 504-393-9456

Email: bobby8989@aol.com

Neighborhood Meeting: The following date and location of the meeting where citizens were invited to discuss the applicants proposal December 3 2014-538 Bouny Street,6pm-7pm,3 people in attendance.

Correspondence:

November 16,2014-letters mailed to contact list, including homes, apartments, neighborhood associations.

November 18,2014-letters distributed within 300 ft. radius of the proposed workshop site.

December 3, 2014-discussed proposal with neighbors at meeting.

Results:

There were 80 persons/addresses invited to the community meeting. See summary below.

1. Summary of concerns, issues and problems.

-none, neighbors were very supportive

Dear Neighbor:

I own a building at the corner Bouny & Eliza. I would like to open a workshop at this site. Previously this was Daigle's Grocery that closed five years ago. Because the business was closed this site was changed to residential and I need to to have this site rezoned back to commercial.

Our application has to be heard by the City Planning Commission and the City Council. Because you are a nearby neighbor, I am inviting you to a meeting where you can learn more about what we propose, and present questions or concerns. We are required to do this before we submit our application to the City Commission.

The meeting will take place:

Wednesday, December 3 at 6pm at 538 Bouny St.

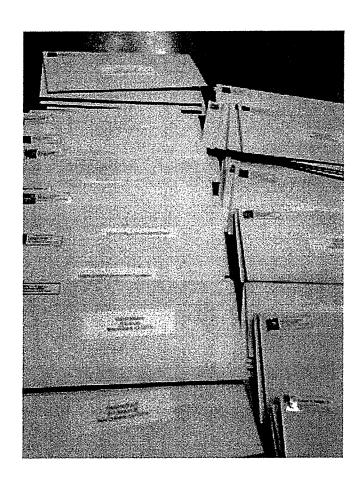
Sincerely,

Bobby Daigle

From: Jean <jeansdaigle@gmail.com>
Date: December 10, 2014 8:23:26 PM·CST

To: Bobby <bobby8989@aol.com>

1 Attachment, 25.9 KB



Sent from my iPhone

538 Bouny Street New Orleans, La 70114

December 3, 2014

Comment Sheet

Name Flore Franky
Address: 318 FLIZA ST
Email:
For Against
Comments: PLASE PASS THE ZONING
DON'T ASK For CASh!!
· .

538 Bouny Street New Orleans, La 70114

December 3, 2014

Comment Sheet

Name RICHIE PARKER	
Address: 541 BOUNY STREET, NOLA 76	ring
Email: rparker@tracknet on line.com	·
For Against	
Comments:	

538 Bouny Street New Orleans, La 70114

December 3, 2014

Comment Sheet

Name DEVERLY CLARKE
Address: 600 BOUNY ST. MOVA 70114
Email: HANCY K_HOB35 @ YAHOO.COM
For Against
Comments:
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From: Jean Daigle < jeansdaigle@gmail.com>

Subject:

Date: December 10, 2014 8:01:58 PM CST To: 1 Bobby <bbb/>bobby8989@aol.com>

Just got a letter in the mail from Bobby Daigle, informing about his application to rezone the former Daigle Grocery back to commercial from residential (since the status - due to a misguided zoning policy - reverted to residential use due to non-commercial use for a few years). According to the letter, he intends to "open a workshop".

I strongly support this change of use because I believe a vibrant urban neighborhood needs to have a mixture of residential and small commercial functions and I urge my neighbors to do the same.

Bobby Daigle, please contact me if you need any help in this matter and please let us know more about your planned commercial use.

Thanks.

Like · Comment

40 people like this.



Peter Vazquez Oh how I wish there was a kitchen in there!...

November 18 at 5:54pm · Like · 1



Angela Wilson Vlad I can't PM from my phone but I know who is looking at that space. Oh wait I can text you

November 18 at 6:01pm · Like



Abigail Amols A jeweler is renting the space as her workshop.

November 18 at 6:01pm · Like ·

	Bart Beasley This is around the corner from my house . What does that mean " workshop " ? November 18 at 6:05pm · Like	
	Allee Parker It's a jewelry workshop Bart ^^ that's all November 18 at 6:07pm · Like	
	Peter Vazquez Hopefully he'll light it up and make it look like a businessI gotta get the neon up in my windows,,SO much to do, so little time! November 18 at 6:07pm · Like · 2	K
Д. 4		869F19
	Angela Wilson Ok I just texted you who it is	
	November 18 at 6:08pm · Like · 2	
	Vlad Ghelase Aha, very cool; had no idea. Even more reason to support it!!!	ZI.
	November 18 at 6:14pm · Like · 4	
	Angela Wilson How do I know more about our neighborhood than you? I don't live there at the moment!!! Haha	Z
	November 18 at 6:16pm · Like	
	Viad Ghelase I was out of town and out of the country a lot in the last month. just catching up (- didn't you notice there was no controversy here lately? :))	
	November 18 at 6:17pm · Edited · Like · 1	
	Angela Wilson Oh And ARS still had food at 6 lol November 18 at 6:18pm · Like	Z
	Viad Ghelase now you know why	
	November 18 at 6:19pm · Like · 1	
	Kristina Roberson he's my landlord - a very gracious one at that - and I fully support his endeavors! look forward to welcoming another business to da Point!	C

early 80s.

	November 18 at 8:45pm · Like · 3
	Angela Wilson Haha I didn't want to put your name out there without permission Lil McKinnon-Hicks!!
	November 18 at 8:52pm · Like · 2
	Mark Rosenbaum Me either
	November 18 at 8:56pm · Like · 2
	Vlad Ghelase Needless to say, I also support the bed and breakfast permit applications a few of my neighbors recently made.
	November 19 at 9:31am · Like · 1
Am	Megan Joy Boudreaux Miss hanging out with Bobby at the store after work back in the day. Good to see that the space may be back in use. November 19 at 2:16pm · Like
A	Bobby Daigle Happy "B" Day!!!!
	November 19 at 3:11pm · Like · 2
	Eric George Yay!! Come home Bobby! November 21 at 5:11am · Like
	Write a comment
	(CI



Eric George

November 21 at 5:08am

Hope Ya'll can make it out this afternoon!!

Notifications ZD 015-15

Name	Address1	Address2	City	St	Zip	DayPhone
Trauth Stephen C	334 Opelousas Ave		New Orleans	LA	70114	
Acikalin Tamer	108 Lakewood Estates Dr		New Orleans	LA	70131	
Jones Cherlyn R	239 Eliza St		New Orleans	LA	70114	
Gray Clare S	Et Als	143 Alix St	New Orleans	LA	70114	
Cantrell Christopher S	Etal	159 Alix St	New Orleans	LA	70114	
Blackman Keith W	147 Alix St		New Orleans	LA	70114	
Boudreaux Chris J Jr	2041 White Myrtle Dr		Madisonville	LA	70447	
Crais Kelly R	169 Alix St		New Orleans	LA	70114	
Hanby Dana	312 East Third Ave		Covington	LA	70433	
Daigle Robert G Jr	2035 Ellen Park Pl		New Orleans	LA	70131	
Bassel Jodie	220 Eliza St		New Orleans	LA	70114	
Jacqueline A R Gorman Trust	221 Pelican Ave		New Orleans	LA	70114	
Lusignan Louis	222 Eliza St		New Orleans	LA	70114	
Maston Harold	225 Alix St		New Orleans	LA	70114	
Salathe Marie E	227 Alix St		New Orleans	LA	70114	
Jones Cherlyn R	Et Al	239 Eliza St	New Orleans	LA	70114	
Carter Cherlyn J	Et Al	239 Eliza St	New Orleans	LA	70114	
Petersen William G Jr	314 Eliza St		New Orleans	LA	70114	
Farrin John S	315 Eliza St		New Orleans	LA	70114	
Feeney George	318 Eliza Street		New Orleans	LA	70114	
Feeney James P	321 Eliza St		New Orleans	LA	70114	
Saucier Mark	Et Al	320 Evelina St	New Orleans	LA	70114	
Williams James M	323 Eliza St		New Orleans	LA	70114	
Manson Jack G	324 Evelina St		New Orleans	LA	70114	
Hogans Troy E	326 Opelousas Ave		New Orleans	LA	70114	····
Falgout Diann B	329 Eliza St		New Orleans	LA	70114	
Bridges Ronald B	4511 Copernicus St		New Orleans	LA	70131	
Allen Corey P	331 Eliza St		New Orleans	LA	70114	
Leboeuf Bernard P	601 Seguin St		New Orleans	LA	70114	
Lauricella Louis J	Et Al	315 Alix St	New Orleans	LA	70114	
Vancalsem Deborah G	507 Seguin St		New Orleans	LA	70114	
Meyers Stephanie A	511 Seguin St		New Orleans	LA	70114	
Cabibi Penelope A	514 Bouny St		New Orleans	LA	70114	
Cooper Pilgrim Mary L	515 Bouny St		New Orleans	LA	70114	
Junot Yvonne R	520 Bouny St		New Orleans	LA	70114	
Donahue Jennifer	3800 Troy Rd		Wylie	TX	75098	
Daigrepont Kathy C H	Et Al	520 Powder St	New Orleans	LA	70114	
Herrick Dean D	522 Seguin St		New Orleans	LA	70114	
Duplessis Holdings LLC	531 Seguin St		New Orleans	LA	70114	
Eubanks Patricia W	526 Seguin St		New Orleans	LA	70114	
Barnes Benjamin J	3745 Olentangy Bl		Columbus	ОН	43214	
Ellington Mark J	527 Seguin St		New Orleans	LA	70114	
Duplessis Jason A	531 Seguin St		New Orleans	LA	70114	
Lopez Roberto	533 Bouny St		New Orleans	LA	70114	
Lea John D	826 Old Landing Rd		Covington	LA	70433-4	
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Notifications ZD 015-15

Braud Jeremy J	Et Als	535 Bouny St	New Orleans	LA	70114
Rogers Kenneth L	Et Al	535 Seguin St	New Orleans	LA	70114
Becnel David Joseph	536 Seguin St		New Orleans	LA	70114
Tureaud Michael	4601 San Marco Rd		New Orleans	LA	70129-2
Parker James R Jr	Et Al	541 Bouny St	New Orleans	LA	70114
Clarke Beverly P	600 Bouny St		New Orleans	LA	70114
Kagan Candance A	600 Seguin St		New Orleans	LA	70114
Ware John E	616-618 Bouny St		New Orleans	LA	70114
Umrani Walter	622 Bouny St		New Orleans	LA	70114
Wilson Gerald A	623 Seguin St		New Orleans	LA	70114
Davidson Richard C III	60 Chateau Magdaline		Kenner	LA	70065
Ghelase Anna B	337 Alix St		New Orleans	LA	70114
New Home Family Worship	2 Heatherwood Dr		Harvey	LA	70058
Braud Dwayne A	611 Seguin St		New Orleans	LA	70114
Kelleher John F	Etal	627 Seguin St	New Orleans	LA	70114
Wissker Frederick C	215 Alix St		New Orleans	LA	70114
Anderson Effie C	312 Eliza St		New Orleans	LA	70114
Jeandron Gerald J Sr	528 Bouny St		New Orleans	LA	70114
Compass Marine Service Inc	Po Box 6349		New Orleans	LA	70174
Swatton Marc	530 Seguin St		New Orleans	LA	70114
Loeb-Guth Desiree	311 Eliza St		New Orleans	LA	70114
338 Opelousas Avenue LLC	4044 Old Gentilly Rd		New Orleans	LA	70126
Kagan Candance A	600 Seguin Street		New Orleans	LA	70114
Brockett Robin	534 Seguin Street		New Orleans	LA	70114
Gordon Kenneth	222 Ashford Circle		La Grange	GA	30240
Rogers Charyl M	Etal/ C/O Nora Ghobrial	937 Mandeville St	New Orleans	LA	70117
Negret Kimberlyn G	155 Alix St		New Orleans	LA	70114
Walker Mildred	1750 Harbor Dr. Unit 213		Slidell	LA	70458
Bridges Ronald B	4511 Copernicus St		New Orleans	LA .	70114
Castle Rock Pavers LLC	1858 Burgundy St		New Orleans	LA	70116
Basabe Peter K Jr	211 Alix St		New Orleans	LA	70114
Mccorkle Emily S	534 Seguin Street		New Orleans	LA	70114
Becnel David J	536 Seguin St		New Orleans	LA	70114
Dann Kelly E	Et Al	535 Seguin St	New Orleans	LA	70114
Bank Of America	C/O Atty: Lindsay M Graham	3510 N Causeway B	Metairie	LA	70002
Ladmirault Carl G	11722 Rue Clarice		Baton Rouge	LA	70810

